

In my State, most farmers and ranchers think the death tax is relevant to their everyday lives because it is probably the single biggest barrier to multigenerational transfers of cattle operations. There is not anything that is a bigger barrier, a larger impediment to those types of transfers in passing farm operations and ranching operations down to the next generation than is the death tax. In most cases, these are people who are asset rich but cash poor. Oftentimes, when someone dies and they wanted to pass it on, they have to liquidate all their assets in order to pay the death tax.

My point simply is this. I would like to see us move forward. We need a farm bill. We need an energy bill. As I said before, I voted for cloture on the farm bill, but I have to say this process has been very tilted in favor of a procedure that the majority leader adopted on the first day that is very much without precedent—in terms of what happens on the Senate floor, I am sure it has been done. I am sure it has been done under Republican majorities. But the fact is, filling the amendment tree and prohibiting amendments from being offered, in a place such as the Senate which thrives on an open amendment process, I think is undermining the very foundation, the rules and procedures on which the Senate is based.

I would like to see us be able to get to a vote on the farm bill, but we can't do that until we have some agreement on amendments, and we can't get to the amendments on the floor until such time as the majority leader agrees we will be able to offer amendments. Until that happens, our side is going to continue to object to proceeding to the farm bill because, in fairness to them, as I said, this is a 1,600-page bill that spends \$280 billion over 5 years and was debated by 21 of the 100 Senators. In the Agriculture Committee, I think we produced a very good bill. I would like to see it—as I said, if it went through unamended, that would be fine by me because I think we got as good a consensus in the farm committee as we could. But there are 79 other Members of the Senate on both sides of the aisle who want to strengthen and make this bill better, and right now the process has precluded that opportunity to a point where we are at a standstill on legislation that is of great importance to the farmers I represent and, I would argue, to all Americans.

The farm bill not only funds production agriculture—and frankly less and less of the overall funding in the farm bill is going to production agriculture. More of it now, 68 percent of it, is going to nutrition and food stamps and other aspects of the farm bill; 9 percent toward conservation. All of those are important. But my point simply is this is a bill important to all Americans, not just to those farmers and ranchers.

During debate on the 2002 farm bill, there were 246 amendments filed. Democrats and Republicans came together and voted on 49 amendments, in-

cluding 29 rollcall votes. Before that, in the 1996 farm bill, there were 339 amendments offered, which were debated. Republicans controlled the Congress at that time. Republican leadership allowed 26 amendment votes, including 11 rollcall votes.

During consideration of the 1990 farm bill, there were 113 votes on the farm bill, 22 of which were rollcall votes. Finally, in 1985, there were 88 votes on that farm bill, 33 of which were rollcall votes.

My point is, writing a farm bill is not an easy task. A lot goes into this. It is a lengthy process, involving compromise between stakeholder groups, national priorities, regional interests, and compromise is simply unachievable under the political maneuvers that have been employed by the Democratic leader on this farm bill.

As I said before, it has been 5 weeks since it was called up on the floor. We had it on the floor for 2 weeks at one stretch before we went out for the Thanksgiving break, and let me emphasize we did not vote on one single amendment to this legislation.

I hope that will change because I think there is precious little time left in this session of the Congress and there are a lot of priorities. There is not much, frankly, that has been done. The Defense authorization bill, as I said, is being held up over an unrelated, nongermane amendment dealing with hate crimes. We don't have funding going out to the troops. We have only gotten one appropriations bill signed into law. The VA-Military Construction appropriations bill is cued up, ready to go. The President said he would sign it. We have not moved that through here. The list goes on and on.

I think it is regrettable because, as most Americans observe this process, they become increasingly cynical. The reason I think these public opinion polls that are published and surveys that are done indicate that Congress has terribly low approval ratings is for this reason: They see the partisan bickering, gridlock, finger pointing and all they want is for Congress to work together to get things done. One recent public opinion survey had the approval rating of the Congress at 11 percent which, as our friend John McCain always says: When you get down to 11 percent, you are pretty much talking about paid staff and blood relatives; and if you factor in the margin of error, you might even run a negative on that.

That is because the American public perceives what is happening and is incredibly frustrated by that. They want to see us work together toward solutions. We cannot do that absent a process and procedure that allows amendments to be offered when bills come to the floor. Legislation put on the floor that is as comprehensive as this farm bill is which, as I said, is 1,600 pages, \$280 billion in spending over a 5-year period, to date not one single amendment has been voted on.

That is regrettable. It is a disservice to the farmers and ranchers of this country who are waiting for this farm bill but, as important, I think it is a disservice to the American public, all of whom benefit from the farm bill and all of whom want to see the Senate work and function effectively to address the challenges and the problems we face as a country.

The process employed by the majority leader on the farm bill completely precludes us from having anything that resembles an open debate. As I pointed out earlier, if you go back to the 1985, 1990, 1996 or 2002 farm bills, there were ample opportunities for amendments. There was vigorous and spirited debate and lots of rollcall votes. This is really historic in terms of the precedent it sets and the message it sends to American agriculture, which desperately needs a farm bill.

I hope in the next day or two, and next week—which in my view is about what we have left to work with. I am frankly happy to stay here this weekend. I would stay here Saturday, Sunday, and beyond if we could get a farm bill on the floor, actually debate it, actually have amendments offered and voted on. I am happy to stay. I would be willing to bet that many of my colleagues would be happy to stay.

But the clock is a-running, time is a-wasting. All the American people see is finger pointing and hand wringing and bickering and gridlock. That is not in their best interests. Certainly, it is not fair to them, the people by whom we were elected. They sent us to do a job. We need to get about that job. That means allowing the Senate to function, to work, to allow Senators to offer amendments to these bills and to get to final action and completion and to get some legislation passed that will hopefully improve the lives of many Americans.

I yield the floor.

#### ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10:30 a.m. tomorrow.

Thereupon, the Senate, at 6:13 p.m., adjourned until Thursday, December 6, 2007, at 10:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### DEPARTMENT OF JUSTICE

MARK R. FILIP, OF ILLINOIS, TO BE DEPUTY ATTORNEY GENERAL, VICE PAUL J. MCNULTY, RESIGNED.

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. DAVID P. VALCOURT, 0000